

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PAMELA WELTY,

Plaintiff,

v.

VALVE CORPORATION,

Defendant.

Case No. 1:25-cv-00696-SAB

ORDER RE STIPULATION TO SUBMIT
MOTION UPON RECORD AND BRIEFS
ON FILE

ORDER ADVISING PARTIES TO
CONSIDER CONSENT TO THE
JURISDICTION OF A MAGISTRATE
JUDGE

(ECF No. 8)

On July 18, 2025, Defendant file a motion to transfer this action to the Western District of Washington. (ECF No. 6.) Plaintiff's opposition was filed on August 1, 2025. (ECF No. 7). Defendant's reply, if any, is due by August 11, 2025. (ECF No. 5.)

On August 4, 2025, the parties filed a stipulation that they have conferred and agree that pursuant to Local Rule 230(g), oral argument regarding Defendant's pending motion to transfer is not required, and that the motion may be submitted upon the record and the briefs. (ECF No. 8.) The parties therefore agree that the hearing and oral argument currently set for August 20, 2025, at 10:00 am should be vacated and the motion submitted upon the record and the briefs. The Court finds good cause to enter the parties' stipulation, subject to the power of the Court to reopen the matter for oral arguments, if necessary. L.R. 230(g).

The parties are advised that following amendment of the Local Rules effective March 1, 2022, a certain percentage of civil cases are directly assigned to a Magistrate Judge only, with consent or declination of consent forms due within 90 days from the date of filing of the action. L.R. App. A(m)(1). This action has been directly assigned to a Magistrate Judge only, and neither party has yet filed a notice of consent. If the parties consent, the Court will be able to directly issue an order regarding the motion to transfer. If the parties do not consent, the Court will issue a findings and recommendation, which may be adopted, modified, or rejected by a District Judge following a fourteen-day objection period. 28 U.S.C. 636(b)(1)(C).

For the parties' benefit, the Court observes that "[j]udges in the Eastern District of California carry the heaviest caseloads in the nation." Rush Air Sports, LLC v. RDJ Grp. Holdings, LLC, No. 1:19-cv-00385-LJO-JLT, 2019 WL 4879211, at *1 (E.D. Cal. Oct. 3, 2019); Pizana v. SanMedica Int'l, LLC, No. 1:18-cv-00644-DAD-SKO, 2020 WL 469336, at *7 n.8 (E.D. Cal. Jan. 29, 2020); see also Hon. Lawrence J. O'Neill, et al., An Important Letter to Congress from the Judges of the Eastern District of California Regarding Our Caseload Crisis, (June 19, 2018) <https://www.caed.uscourts.gov/caednew/index.cfm/news-archive/important-letter-re-caseload-crisis/> (noting that in 2018, "[e]ach District Judge handles an average of approximately 900 cases at any given time, more than double the nationwide average"). Therefore, the Court advises the parties "to []consider consent to conduct all further proceedings before a Magistrate Judge, whose schedules are far more realistic and accommodating to parties." Rush Air, 2019 WL 4879211, at *1; see 28 U.S.C. 636(c)(2). That said, the parties "are free to withhold consent without adverse substantive consequences." 28 U.S.C. 636(c)(2).

Accordingly, IT IS HEREBY ORDERED that:

1. Pursuant to the stipulation of the parties (ECF No. 8), the hearing set for August 20, 2025 is VACATED and the motion shall be taken under submission **after August 11, 2025**, subject to the power of the Court to reopen the matter for further briefs or oral arguments or both, L.R. 230(g); and
2. If a party would like to consent, they are directed to file a notice indicating as such. If either party does not file a notice of consent **by August 11, 2025**, the

1 Court will construe that as withholding consent and shall issue findings and
2 recommendations. Again, either party is free to withhold consent without adverse
3 substantive consequences.

4
5 IT IS SO ORDERED.

6 Dated: August 5, 2025

A handwritten signature in blue ink, appearing to read "Stanley A. Boone", is written over a horizontal line.

STANLEY A. BOONE
United States Magistrate Judge